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DATE: July 26, 2005

TO: Office of Petitions

FAX #: 571-273-0025

PHONE #: 571-272-3282

Application No.: 09/786,173
Applicant: Laurent-Chatenet et al.
Due Date: n/a

OUR REF.: 3340.03US01

FROM: Amy M. Salmela, Esq.
PHONE #: 612-252-1538

Attached please find the following for filing in the above-identified application.

- (1) Petition for Request for Refund; and
- (2) Attachment A.

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JUL 26 2005

OFFICE OF PETITIONS

Respectfully submitted,



Amy M. Salmela
Registration No. 55,910

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 571-273-0025 on the date shown below.

July 26, 2005
Date


Amy M. Salmela

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 3340.03US01

Nathalie Laurent-Chatenet et al.

Confirmation No.: 6495

Application No.: 09/786,173

Examiner: Tom Y. Lu

Filed: May 21, 2001

Group Art Unit: 2621

For: METHOD FOR ESTIMATING MOTION BETWEEN TWO IMAGES

PETITION FOR REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Applicants through their undersigned attorney respectfully request a refund of \$900.00 related to extension for period of response fees submitted with a Request for Continued Examination (RCE) filed in the above-identified case on July 26, 2005.

A Final Office Action was mailed by the U.S. Patent and Trademark Office ("the Patent Office") on January 26, 2005. Applicants timely filed an Amendment After Final on April 26, 2005.

Applicants' attorney contacted Group Art Unit 2621 of the Patent Office on July 26, 2005, after not receiving any communication or response to the timely filed Amendment After Final and also consulted the Patent Office's Private PAIR system, but the present application is not maintained electronically. The Patent Office advised via telephone that an Advisory Action had been mailed on May 17, 2005, and subsequently returned by the U.S. Postal Service. Applicants' attorney therefore requested and received via facsimile a copy of the Advisory Action and a copy of the envelope within which the Advisory Action was originally

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mailed. A copy of the envelope is submitted herewith as Attachment A. Referring to Attachment A, it can be seen that the Advisory Action was returned to the Patent Office for insufficient postage. No subsequent mailing or attempts to contact Applicants or Applicants' attorneys was attempted by the Patent Office to the knowledge of the undersigned, and no Advisory Action or other communication following the filing of the Amendment After Final has been received by Applicants' attorney by mail to date.

Therefore, to avoid abandonment of the present application, Applicants filed a RCE on July 26, 2005. The RCE was filed with a Petition for Extension of Period for Response Under 37 C.F.R. § 1.136(a) for an extension of time of three months (April 26, 2005, to July 26, 2005) and included the requisite fee of \$1,020.00.

Had the USPTO properly mailed the Advisory Action on May 17, 2005, with sufficient postage, Applicants would have had the opportunity to file an RCE within the first month of extensions, requiring an extension fee of only \$120.00. The USPTO also made no attempt to re-mail the Advisory Action (as directed by MPEP § 707.13) or to contact Applicants or their attorneys, and no adjustment or restarting of the period for response running against the present application was made. Accordingly, Applicants hereby petition for a refund of \$900.00 (third month extension fee of \$1,020.00 less the first month extension fee of \$120.00).

The Commissioner is hereby authorized to charge to Deposit Account No. 16-0631 any underpayment, overpayment or additionally required fees, including any necessary petition fees. Should any petition fee be due herewith, Applicants further request a refund of the petition fee because the mailing of the Advisory Action with insufficient postage was not due to Applicants' error or oversight. Applicants further authorize that the refunds be credited to Deposit Account No. 16-0631

Application No. 09/786,173

Applicants and their undersigned attorney thank the Commissioner for his prompt attention to this matter.

Respectfully submitted,



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Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.

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July 26, 2005

Date


Amy M. Salmela

TC 2600

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Attachment A